Application No.: 09/662,217 Attorney Docket No. 04329,2384

<u>REMARKS</u>

Applicants propose canceling claims 1-11 and 17-19 without prejudice or disclaimer of the subject matter thereof. Upon entry of this Amendment, claim 13 will remain pending in this application.

Applicants note that the Examiner has not yet returned an initialed copy of the PTO 1449 form that was submitted with the Information Disclosure Statement filed on October 10, 2000. Accordingly, Applicants request that the Examiner return an initialed copy of the form with appropriate notations indicating the Examiner's consideration of the cited documents.

In the Final Office Action,¹ the Examiner rejected claims 1, 2, 7-11, 17 and 19 under 35 U.S.C. § 103(a) as being unpatentable over <u>Yagi et al.</u> (U.S. Patent No. 6,404,980) in view of <u>Okada et al.</u> (U.S. Patent No. 6,181,870); and rejected claims 3-6 and 18 under 35 U.S.C. § 103(a) as being unpatentable over <u>Yagi</u> and <u>Okada</u> in view of <u>Ueda et al.</u> (U.S. Patent No. 6,289,102). The Examiner also allowed claim 13. Applicants appreciate the Examiner's indication of allowable subject matter.

Since Applicants have proposed canceling claims 1-11 and 17-19, the above rejections are rendered moot. Applicants therefore respectfully request that the Examiner enter this Amendment under 37 C.F.R. § 1.116, placing the present application in *prima facie* condition for allowance.

¹ The Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicants decline to automatically subscribe to any statement or characterization in the Office Action.

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In view of the foregoing remarks, Applicants respectfully request the timely issuance of a Notice of Allowance.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P.

Dated: September 29, 2005

By: Worthmy Grand Reg. No. 53,233

Reg. No. 31,744